IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4715 OF 2005

Inlaks General Hospital & anr. ..Petitioners.

Vs.

N.D. Gole & anr. ..Respondents.

....

Mr. M.M. Verma with Mr. P.N. Shastri for the Petitioners.
Mr. R.M. Joshi for Respondent Nos.1 and 2.

...

CORAM : DR.D.Y.CHANDRACHUD, J.

13th April, 2006.

P.C.:

At the hearing of this petition, counsel appearing for the Petitioners and for the Respondents have agreed to the following order being passed with the consent of the counsel and without further recording of any reasons :

i) The Respondents state that within a period of two weeks from today the Respondents shall file affidavits with the Petitioners stating that the Respondents were not gainfully employed during the period of suspension;

ii) Counsel appearing for the Petitioners states that within a period of two weeks of the lodgment of the aforesaid affidavits with the Petitioners, the Petitioners shall hand over to each of the Respondents all the payments due and payable on account of subsistence allowance from the date of the order of suspension until the date of termination;

iii) The aforesaid arrangement which has been arrived at between the parties shall be without prejudice to the proceedings that have been adopted by the workmen for challenging the order of termination;

iv) In the circumstances, having regard to the arrangement that has been arrived at between the parties before this Court, the impugned order of the Industrial Court dated 22nd March, 2005 is quashed and set aside. The complaint shall stand disposed of in view of the aforesaid arrangement that has been agreed upon between the parties.

The Petition stands disposed of in the aforesaid terms.